



## UNITED STATES DISTRICT COURT

## SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA ) MAGISTRATE CASE NO.: **'08 MJ 8181**

Plaintiff, ) COMPLAINT FOR VIOLATION OF  
 )  
 v. ) 8, U.S.C., § 1324(a)(2)(B)(iii)  
 ) Bringing in Aliens Without  
 Jose CAMACHO-Melendez ) Presentation (Felony)  
 )  
 Defendant )  
 )

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12           The undersigned complainant, being duly sworn, states:

13           That on February 27, 2008, within the Southern District of  
 California, defendant Jose CAMACHO-Melendez, with the intent to  
 violate immigration laws of the United States, knowing and in  
 reckless disregard of the fact that two aliens, namely, Angelica  
 REYES-Valencia and Audelia TORRES-Gutierrez, had not received prior  
 official authorization to come to, enter and reside in the United  
 States, did bring to and attempt to bring to the United States said  
 aliens and upon arrival did not bring and present said aliens  
 immediately to an appropriate Customs Border Protection Officer at  
 the designated port of entry; in violation of Title 8, United States  
 Code, Section 1324(a)(2)(B)(iii).

21           This complaint is based on the attached Statement of Facts which  
 is incorporated herein by reference.  
 22

23           \_\_\_\_\_  
 24           Izabel Figueroa,  
 CBP Enforcement Officer

25           SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 28<sup>th</sup> DAY OF  
 FEBRUARY 2008.  
 26

27           \_\_\_\_\_  
 HON. PETER C. LEWIS  
 UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

2 Jose CAMACHO-Melendez

3 STATEMENT OF FACTS

4 The complainant states that this complaint is based upon  
5 the reports of the apprehending officer and the investigation  
6 conducted by U.S. Customs Border Protection (CBP) Officer Diana  
7 I. Contreras.

8 On February 27, 2008, at approximately 4:20 A.M., subject  
9 identified by his lawfully issued DSP-150 card as Jose CAMACHO-  
10 Melendez, arrived at the Calexico, CA West Port of Entry as the  
11 driver of a Ford F-250 Pick up Truck.

12 During primary inspection, CAMACHO-Melendez gave a negative  
13 Customs declaration to Customs and Border Protection Officer  
14 (CBPO) Veronica Fonseca. CBPO Fonseca questioned the driver as  
15 to his destination and ownership of the vehicle. CAMACHO-  
16 Melendez stated he was going to Las Palmas in Calexico, CA to  
17 buy washers and that the vehicle was the company's truck. CBPO  
18 Fonseca referred the vehicle to the secondary lot for further  
19 inspection and for a user fee.

20 In vehicle secondary, CBPO Justin VanArdsall approached the  
21 vehicle and received a negative Customs Declaration from  
22 CAMACHO-Melendez. CBPO VanArdsall asked CAMACHO-Melendez where  
23 he was going and if the vehicle belonged to him. CAMACHO-  
24 Melendez stated to CBPO VanArdsall that he was going to buy  
25 washers and that the vehicle belonged to the company he worked  
26 for. CBPO VanArdsall asked CAMACHO-Melendez to open the hood.  
27 CAMACHO-Melendez unlatched the hood release from inside the  
28

1       vehicle and proceeded to the vehicle secondary lobby to pay for  
2       the user fee. CBPO VanArasdall discovered two aliens. It was  
3       determined that both aliens were natives and citizens of Mexico  
4       with no legal documents to enter into, reside or be employed in  
5       the United States. The undocumented aliens were identified as  
6       Angelica REYES-Valencia and Audelia TORRES-Gutierrez.  
7

8           CAMACHO-Melendez was placed under arrest. CAMACHO-Melendez  
9       was advised of his rights per Miranda in the Spanish language.  
10      CAMACHO-Melendez acknowledged his rights.  
11

12      Material Witness, Angelica REYES-Valencia stated that she  
13       is a citizen of Mexico and that she does not possess any  
14       documentation that would facilitate her lawful admission into  
15       the United States. REYES-Valencia stated that a gentleman that  
16       traveled with her and TORRES-Gutierrez made the smuggling  
17       arrangements. REYES-Valencia stated she was taken to a house at  
18       an unknown location and put in under the hood of the vehicle.  
19       REYES-Valencia stated she was to pay \$4500.00 to be smuggled  
20       into the United States and that her final destination would have  
21       been Chicago, Illinois, where she can reunite with her husband  
22       and child. REYES-Valencia was shown a photo line-up and was not  
23       able to identify CAMACHO-Melendez as the person that put her in  
24       the engine compartment or that was driving the vehicle  
25

26      Material Witness, Audelia TORRES-Gutierrez stated that she  
27       is a citizen of Mexico and that she does not posses any  
28       documentation that would facilitate her lawful admission into  
      the United States. TORRES-Gutierrez stated that her and REYES-  
      Valencia went to a store and asked if there was anyone that  
      could cross them. TORRES-Gutierrez met some men that told her

they would be able to cross them into the United States.  
1 REYES-Valencia stated she was to pay an unknown amount of money  
2 once successfully crossed into the United States and that her  
3 final destination would have been Santa Ana, California.  
4 TORRES-Gutierrez was shown a photo line-up and was not able to  
5 identify CAMACHO-Melendez as the person that put her in the  
6 engine compartment or that was driving the vehicle.  
7

## Material Witnesses:

Name	Country of Birth
Angelica REYES-Valencia	Mexico
Audelia TORRES-Gutierrez	Mexico

Further, the complainant states that Angelica REYES-  
Valencia and Audelia TORRES-Gutierrez are citizens of a country  
other than the United States; that said aliens have admitted  
that they are deportable; that their testimony is material, that  
it is impracticable to secure their attendance at the trial by  
subpoena; and they are material witnesses in relation to this  
criminal charge and should be held or admitted to bail pursuant  
to Title 18, United States Code, Section 3144.